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POLICY ON LIMITED PERSONAL USE OF GOVERNMENT OFFICE EQUIPMENT

Subject: This document provides the EPA policy permitting limited personal use of Government office equipment.

Purpose: **Why EPA is Issuing this Policy:**

The Environmental Protection Agency's (EPA or Agency) intent in authorizing limited personal use of Government office equipment is to provide you with a professional and supportive work environment while meeting taxpayer expectations that tax dollars will be spent wisely. By authorizing this policy, EPA assumes that you are a responsible individual, capable of balancing this privilege with the expectations of American taxpayers. It also recognizes the importance of implementing this policy in a consistent and equitable manner based on available resources.

Audience: **Who is Covered by This Policy:**

All EPA employees are covered by this policy.

If you are a representative of one of the unions that represent EPA employees, use of government equipment for representational and other union functions is a matter subject to negotiation, and the applicable bargaining agreement should be consulted. Where such use has been negotiated, it is considered authorized rather than "personal" use of equipment. Use of equipment falling outside such bargaining agreements, however, is considered "personal" and is covered by this policy.

EPA does not normally provide Government office equipment to contractors, except in highly unusual and select circumstances. However, contractors and other recipients of federal financial assistance (e.g., grantees) are authorized limited personal use of Government office

equipment to the extent specified by related contracts, assistance agreements (e.g., grant, grant program guidance), or memoranda of agreement. Under extraordinary, unusual or emergency circumstances, contractors and visitors to an EPA facility for official business with EPA may be granted limited personal use of Government office equipment by express permission, and proper oversight, of a responsible, on-site EPA employee. In all cases, use must be within the boundaries of EPA policy.

Background:

This document provides the EPA policy permitting limited personal use of Government office equipment during non-work time (See Definitions). It replaces EPA's interim *de minimis* (limited) personal use policy¹, the clarification memorandum related to the interim policy², the Frequently Asked Questions (FAQs) document covering the *de minimis* personal use policy³, and any previous memoranda and policies regarding personal use of Government office equipment, including the April 29, 1994 memorandum from Alvin M. Pesachowitz pertaining to Appropriate Use of the Internet. This new policy is based on both the Federal Government's Chief Information Officers (CIO) Council model policy (approved in May 1999) and the Office of Personnel Management (OPM) Policy on Personal Use of Government Office Equipment (approved in June 2000).

This policy supplements but does not supersede any statutes, regulations or collective bargaining agreements on the authorized use of Government office equipment.

Authorities:

The following authorities support this policy and can be found at the Web locations given:

5 C.F.R. Part 2635.704A	Standards of Ethical Conduct for Employees of the Executive Branch URL: www.access.gpo.gov
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¹ Personal Use of Agency Equipment. EPA Memorandum from Alvin M. Pesachowitz. January 18, 1998.

² Additional Guidance on EPA's Interim Policy on Personal Use of Agency Equipment. EPA Memorandum from Margaret N. Schneider. July 26, 2000.

³ Frequently Asked Questions (FAQs) on "Additional Guidance on EPA's Interim Policy on Personal Use of Agency Equipment." March 19, 2001.

E.O. 12674 and E.O. 12731	Principles of Ethical Conduct for Government Officers and Employees URL: www.usoge.gov/usoge006.html
E.O. 13011	Federal information technology URL: www.archives.gov/federal_register/executive_orders/

Related Documents:

The following related documents support this policy and can be found at the Web locations given:

EPA Directive 2195A1	EPA's Information Security Manual and Information Technology Security Policies and Planning Documents URL: http://intranet.epa.gov/itsecurity/polprocedures.html
EPA's Ethics Guidance	EPA ethics program and training URL: http://intranet.epa.gov/ogcrmo01/ethics.htm
From the CIO Council	Recommended Executive Branch Model Policy/Guidance on Limited Personal Use of Government Office Equipment Including Information Technology URL: http://cio.gov/docs/Documents/peruse_model_May_1999.pdf
General Services Administration Policy on the Authorized Use of Long Distance Telephone Services	41 C.F.R. § 101-35.201, 65 FR 48392 (August 8, 2000)
EPA Travel Manual 2550B	http://intranet.epa.gov/fmdvally/finservices/travel.htm

Related policies and other information can be viewed on the EPA Intranet at:

- <http://intranet.epa.gov/rmpolicy/infoman.htm> (policies issued by OEI) or

- ▶ <http://intranet.epa.gov/rmpolicy/direct.htm> (Official Agency Directives).
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Policy:

You may use Government office equipment only for authorized purposes. Limited personal use is authorized during non-work time:

- if it involves minimal additional expense to the Government;
- if it does not reduce your productivity or interfere with your official duties or the official duties of others;
- if you are already authorized to use the equipment for official Government business; and
- if it is legal and appropriate (See part C for examples of inappropriate uses).

Managers and supervisors may further restrict personal use based on the needs of the office or problems with unauthorized or inappropriate use in the office. In such cases affecting bargaining unit employees, the union may need to be notified.

A. Limited personal use of Government office equipment does not include privacy during that use:

You must not have any expectation of privacy while using any Government office equipment. While using Government office equipment, your use may be monitored or recorded, read, copied, and disclosed in accordance with all applicable laws and regulations. If Government office equipment is involved at any point in the transmission or receipt of personal information, then this policy applies and your use may be monitored, recorded, read, copied, and disclosed. For example, if you use Government office equipment for personal email, your use may be monitored, read, copied, and disclosed. Use of any Government office equipment must be consistent with Agency security and information management policies. An official Notice banner appears during every log-on to an EPA computer system. It provides the user with a warning about authorized use, potential consequences of unauthorized use, activities and disclosures that may occur, and terms of consent.

Business telephone calls may be monitored or recorded for legitimate business purposes such as providing training and instruction, or protection against abusive calls. Personal telephone conversations and business telephone calls will not be routinely monitored. EPA will notify affected employees and their unions if the Agency proposes to change its existing practice not to routinely monitor employees' telephone calls.

B. Do not give the appearance that personal use is in an official capacity:

You must ensure that your personal use does not give the appearance that you are acting in an official capacity. For example, you may not post EPA information to external news groups, bulletin boards or other public forums without EPA program authorization. Further, you must not give the appearance that EPA endorses or sanctions your personal activities. If your actions leave the impression that your personal activities are endorsed by EPA, you may be in violation of the standards of ethical conduct for executive branch employees.

If there is any potential for confusion, you must provide an appropriate disclaimer. Even with a disclaimer, an inappropriate message may interfere with official government business. If there is any question or confusion about the need for a disclaimer or even sending the message, you should consult your Office's Deputy Ethics Official and/or supervisor for guidance. The following statement is an example of a disclaimer that may be used: "The content of this message is mine personally and does not reflect any position of the Government or of EPA."

C. Examples of inappropriate personal uses:

You must not use Government office equipment for activities that are inappropriate. If you have questions about appropriate use, consult with your supervisor or the Office of Environmental Information, Office of Technology Operations and Planning. If you have any ethics-related questions regarding personal use of Government equipment, consult with your Office's Deputy Ethics Official.

Some examples of inappropriate activities include:

- Transferring or storing large electronic computer files using government equipment. Your activities might reduce the effectiveness of an EPA system if you use large files. For example, sending or opening personal electronic greeting cards, video, sound, interactive games or other large files as attachments may hinder the performance of an entire network. Exceptions, such as business-oriented training videos, should be approved by Program managers and by your Senior Information Resources Management Official (SIRMO).
- Using Internet services that automatically download information, such as sports scores, stock prices, music or videos, or other continuous data streams such as radio stations.
- Loading personal software onto your Government office equipment or making any related configuration changes, unless approved by an appropriate information technology manager. For the purposes of this policy, "appropriate information technology manager" is defined as the:
 - * Director of the Office of Technology Operations and Planning in the Office of Environmental Information for approvals that apply across EPA Program Offices and/or Regions; or

* Senior Information Resources Management Officials and Information Resources Management Branch Chiefs for approvals that apply within their respective Program Offices or Regions.

- Making long distance telephone calls. There are limited exceptions, such as:
 - in an emergency;
 - brief calls to locations that can only be reached during working hours (e.g., car repair shop, doctor, family matters); and
 - brief calls home (e.g., to arrange transportation, check on a sick child).

Note: EPA's Travel Manual 2550B addresses personal telephone calls when in travel status.

- Using Government office equipment to gain unauthorized access to other systems.
- Creating, copying or transmitting chain letters or mass mailings unrelated to official business, either as e-mail or hard copies, regardless of the subject matter.
- Creating, copying, or transmitting any material or communication that is illegal, inappropriate or offensive to fellow employees or to the public.
- Voluntarily viewing, downloading, storing, transmitting or copying, either electronically or from a hard copy, materials that are sexually explicit or sexually oriented.
- Engaging in or promoting hacking, gambling, terrorist activities, activities related to illegal weapons, or any activity prohibited by law, rule, or regulation.
- Using Government office equipment for commercial purposes or in support of other "for profit" activities such as outside employment or businesses (e.g., selling real estate, preparing tax returns for a fee).
- Engaging in any fund raising or non-profit activities, endorsing any product or service, participating in lobbying or prohibited partisan political activity (e.g., expressing opinions about candidates, distributing campaign literature).
- Unauthorized acquisition, use, reproduction, transmission, or distribution of any information, including computer software and data that is copyrighted, trademarked, or protected by other laws governing intellectual property or privacy.

D. Consequences for misuse of Government office equipment:

Unauthorized or inappropriate use of Government office equipment may result in the loss or limitation of your privilege to use Government office equipment. You may also face administrative disciplinary action ranging from closer supervision to removal from the Agency, as well as any criminal penalties or financial liability, depending on the severity and nature of the misuse. If you receive a message that harasses or threatens you, report it as soon as possible to your supervisor for technical and/or managerial follow up.

**Roles and
Responsibilities:**

All EPA employees and other authorized users are expected to exercise common sense and good judgement in the personal use of Government office equipment. Employees must safeguard, protect and conserve Government property and are responsible for the care, safety, and effective use of that property in accordance with this policy.

Managers and supervisors are responsible for addressing incidents of non-compliance with this policy and may further restrict personal use based on the needs of the office or problems with unauthorized or inappropriate use in the office. Supervisors and managers also are responsible for answering questions from employees regarding this policy.

Deputy Ethics Officials are responsible for addressing questions and concerns from employees related to any ethics-related issues inherent in this policy.

Information Security Officers are responsible for addressing questions and concerns related to any security-related issues inherent in this policy.

The Office of Environmental Information, Office of Technology Operations and Planning, Information Technology Policy and Planning Division (OEI-OTOP-ITPPD) is responsible for addressing questions and concerns regarding interpretation of this policy.

Definitions:

Government office equipment includes, but is not limited to: computers, computer related equipment, computer software, Internet services, email, library resources, telephones, facsimile machines, photocopiers and related office supplies. This also includes government office equipment provided for use while in official travel status and for a flexiplace or other alternative work space arrangement.

Minimal additional expense means the expense incurred when the Government is already providing equipment, supplies, or services, and you use only limited additional amounts of electricity, ink, toner, paper, or services. Wear and tear from normal use is also considered minimal additional expense.

Non-work time means the time when you are not performing an activity for the benefit of the Agency and under the control or direction of the Agency. Examples of non-work time include off-duty hours, such as lunch periods, time before or after a workday, weekends or holidays, but only if your duty station would normally be available to you at such times.

Personal use means use other than for official Government business.

Privilege means that the Agency, through this Policy, has authorized limited personal use of Government office equipment within the guidelines of the policy. There is no inherent right to personal use of Government office equipment.

**Additional
Information:**

Protecting the Security of EPA's Systems:

If you are using Government office equipment, particularly computer systems, you share the responsibility for protecting the security of this equipment and systems with all other users. You must be aware of and follow appropriate security provisions concerning logging on or off EPA computer systems and networks. You are responsible for maintaining the confidentiality of your password and for all data that you place on or delete from an EPA computer. Because most EPA computers and systems are protected from unauthorized users by passwords, it is particularly critical that you not divulge your User ID or password to anyone.

Report all security breaches, including compromised passwords, to your Information Security Officer or your supervisor. Potentially serious security issues also should be reported to the Office of the Inspector General.

An employee may direct any questions concerning this Policy to his/her supervisor or contact the Office of Environmental Information, Office of Technology Operations and Planning, Information Technology Policy and Planning Division (OEI-OTOP-ITPPD).

**Recertification
Date:**

This Policy on Limited Personal Use of Government Office Equipment is effective upon issuance and will remain in effect until superseded or rescinded.
